CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE NINE HUNDRED AND SIXTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 20 June 2002, at 10.15 a.m.

President: Mr. Hubert de La Fortelle (France)

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The PRESIDENT (translated from French): I declare open the 906th plenary meeting of the Conference on Disarmament. On my list of speakers for today I have the representative of Australia, Ambassador Michael Smith.

Mr. SMITH (Australia): Mr. President, let me begin by congratulating you on the way in which you have conducted your presidency - you have been energetic, yet measured, in your management of the Conference; you have shown creativity and perseverance in your consultations with us; you have tempered your enthusiasm and impatience for progress with humour and a good sense of the political realities with which we are dealing. In short, should I remain here long enough myself to progress around this room to your position, I will certainly cast my mind back to these early days in my time and do my best to emulate your calm, sensible and gracious approach.

This is the first occasion that I have had the privilege to address this Conference and I do so with a strong sense of the weight of negotiating history that is wrapped in these walls. Australia has always played an active roll in this body. That has not been due to any misplaced sense of national self-importance. It has been because Australians have fought and died in many wars, and our community, notwithstanding the fact that no war has been fought on our soil, has a deeply-rooted sense of the pain, dislocation and destruction that flows from conventional warfare. We firmly believe that there is a better way - that through negotiations leading to the establishment of global legal norms, collectively we can discourage and even head off some otherwise inevitable conflicts.

In this respect Australians are particularly conscious of the enormous potential for human suffering and devastation locked up in nuclear, chemical, biological and radiological weapons technology. It is because of this that we have worked here with your and so many of your national colleagues over the years on the drafting of the Biological and Toxin Weapons Convention, on the Convention on Certain Conventional Weapons, on the Chemical Weapons Convention, on the Comprehensive Tests-Ban Treaty and on a number of other instruments. Many of these have come into effect and are working silently to deter the development and deployment of weapons of mass destruction; others are yet to achieve their full potential.

I was aware, of course, before my arrival here that this Conference was locked in a stalemate that was preventing it from addressing its work. What has particularly struck me since I arrived six weeks ago is the incredible pool of diplomatic talent that is gathered here poised to work and therefore, what a waste it is that we can do nothing. The more so in the light of the terrorist attacks on 11 September and their aftermath. The average man or woman in our countries would be entitled to ask, why are we, the specialist body in the United Nations system entrusted with developing multilateral legal responses to security challenges, doing nothing about it?

Rather than repeating the answer that we all know, I would like to set out what my Government thinks we should be doing and what I hope we can achieve during my tour of duty, in any event, in Geneva, not only in the Conference on Disarmament but in other multilateral forums here in Geneva and even elsewhere.

(Mr. Smith, Australia)

A fissile material cut-off treaty has been endorsed repeatedly as the logical next step on the nuclear arms control and disarmament agenda and it is our firm hope that the Conference on Disarmament will make any early start on negotiations on an FMCT. The most powerful barrier to nuclear weapons proliferation is the difficulty of acquiring sufficient quantities of weapons-useable nuclear material. An FMCT would tighten international controls on fissile material, further raising the bar to proliferation. And recent tensions in south Asia are a reminder of the potential that a cut-off treaty has to play an important security and confidence-building role in regions of tension, most particularly in south Asia and the Middle East

Until there is a start to formal negotiations, and without in any way supplanting the rightful role of the Conference on Disarmament as the negotiating forum, Australia sees value in further informal work in Geneva on FMCT issues, building on the workshops and seminars held last year. We very much welcome the Netherlands initiative for a structured series of FMCT seminars, the first of which took place on 7 June 2002. We regard the seminars as making a valuable contribution to an understanding of the important role that an FMCT would play in promoting nuclear non-proliferation and disarmament and strongly encourage wide participation by delegations in them.

Australia also encourages all Conference on Disarmament delegations to consider other measures that could be taken to support the FMCT. In particular, we urge relevant States to join a moratorium on the production of fissile material for nuclear weapons.

Our efforts in the Conference on Disarmament need to be complemented by other multilateral, plurilateral, regional and bilateral processes to promote arms control and disarmament goals.

The NPT remains essential to international efforts to prevent the spread of nuclear weapons, facilitate access to the peaceful uses of nuclear energy and advance nuclear disarmament. We were encouraged by the strong commitment to the NPT evident at the first meeting of the Preparatory Committee for the 2005 NPT Review Conference in New York in April. We look to all NPT parties to continue to bring to the review process a spirit of constructive cooperation consistent with our shared interests in maintaining and strengthening this vital treaty. Geneva, of course, will host the 2003 meeting of the Preparatory Committee. There is a special onus on delegations in Geneva therefore to assist the Chair, Ambassador Molnar, with preparations for the 2003 meeting.

Australia continues to work energetically with other countries to achieve a complete ban on nuclear tests for all time through the entry into force of the Comprehensive Test-Ban Treaty (CTBT). We are aware that concerns have been expressed about the prospects for the Treaty's entry into force. We note however that with 165 signatories and 93 ratifications the Treaty has firmly established itself as a powerful international norm against nuclear explosive testing.

(Mr. Smith, Australia)

Furthermore, it has secured this support within a remarkably short time frame - less than six years. Nevertheless, until our goal of CTBT entry into force is achieved, we would urge all countries to maintain the existing moratorium on nuclear-testing and support development of the CTBT international monitoring system.

Australia will continue working vigorously for the universal application of the Additional Protocol on strengthened IAEA safeguards. We regard global application of the Additional Protocol as an essential reinforcing step for facilitating nuclear disarmament. We urge those yet to conclude an Additional Protocol to do so as quickly as possible.

The Biological Weapons Convention is another cornerstone of the multilateral disarmament system but it has faced serious challenges in the last 12 months. More than six months have passed since the Fifth Review Conference of this Convention was suspended. It remains nonetheless the best means that the international community has for preventing and addressing the proliferation of biological weapons. But it remains insufficient. We do not have adequate means for promoting effective implementation of the Convention, nor for clarifying suspicions of non-compliance. Technological development is rapidly expanding the scope not only for peaceful applications of biotechnology but also for ever more dangerous biological weapons. Regulatory controls over access to pathogens in most countries remain inadequate. For these reasons and others, the BWC needs to be strengthened. A variety of practical proposals for doing that were put before the Conference last year and promising means of continuing that work received wide endorsement.

Our highest priority for the resumed BWC Review Conference in November is ensuring a substantive conclusion that advances international efforts against biological weapons and provides security benefits to us all. In our view, as an indispensable part of that conclusion, States parties must agree to hold more frequent meetings so as to improve the implementation of the Convention, reinforce compliance and strengthen accountability.

Preventing the proliferation of ballistic missiles, which can serve as potential delivery vehicles for weapons of mass destruction, is another Australian priority. We are encouraged by progress towards the finalization of the draft international code of conduct against ballistic missile proliferation.

We should remember that the uncontrolled spread and indiscriminate use of conventional arms can also have a devastating humanitarian impact, threatening security and development. For this reason, Australia remains strongly committed to the universalization of the Ottawa Convention and to promoting the implementation of the United Nations Programme of Action on Small Arms and Light Weapons, adopted in New York in July last year.

(Mr. Smith, Australia)

My predecessor, Les Luck, had the privilege of serving as President of the Second Review Conference of the CCW held in December 2001. My Government remains committed to the expert group process, which was established at that meeting to consider further steps that might be taken to reduce the impact of the explosive remnants of war and anti-vehicle mines. Australia hopes that agreement can be reached on practical measures that reduce the effects of these weapons on civilians.

I am conscious that that is an intimidating list of activities but I think we need to be ambitious if we are to make this body and the negotiating skills it contains fulfil their potential. I can assure you, Mr. President, that I and my delegation, at the very least, remain firmly committed to a strong, relevant and dynamic Conference on Disarmament and we urge all member States to strive for the necessary compromises to allow the Conference to get back to work.

The PRESIDENT (translated from French): I thank the representative of Australia, Ambassador Michael Smith, for his statement and for the kind words addressed to the Chair and I now give the floor to the representative of Brazil.

Mr. DUQUE ESTRADA MEYER (Brazil) (translated from French): Mr. President, as the French presidency draws to its close, the delegation of Brazil would like to extend its sincere congratulations to you on the efforts you have made to bring the Conference out of the deadlock that it has been in for nearly four years now. The delegation of Brazil shares the feeling of frustration to which you referred last week. We regret the paralysis and lack of action that has afflicted the Conference and we also wonder why it should be impossible for us to get to work.

As you also quite rightly pointed out last week, we must persevere, despite our frustration. Even if the scope for imagination and creativity might be somewhat limited in the field of disarmament, the delegation of Brazil has always been convinced that, when it comes to getting the work of the Conference going again, we have not exhausted our full potential.

In the spirit of transparency, you have organized consultations which have confirmed that this feeling is well-founded. To borrow your own words, an important turning point has been reached under your presidency. The delegation of Brazil welcomes with satisfaction the new proposal submitted by the delegation of China. Following two years of intensive consultation, the flexibility shown by the delegation of China relating to document CD/1624 shows that the text is worth preserving. It shows that the Conference has a real opportunity to perform a task which everyone expects it to perform, namely, to relaunch its work on the basis of a balanced programme of work, one which would have the advantage of preserving the most widely different security-related interests expressed in this forum. The delegation of Brazil invites all delegations present here to pursue their efforts in that same direction.

The PRESIDENT (translated from French): I thank the distinguished representative of Brazil for his statement and for the kind words addressed to the Chair. I have no other speakers on my list and I see no other delegations wishing to take the floor today. In that case, I shall take the floor myself.

Mr. Secretary-General, dear colleagues,

After four weeks, the French presidency of the Conference on Disarmament is effectively coming to an end today, even if theoretically it will only end on Sunday. 23 June, at midnight. In accordance with a well-established tradition, it is my duty to make a review, which I hope will be as objective as possible, both from the viewpoint of methodology and from that of results. I will then give you some of my general thoughts about our activities and the context in which they have been taking place.

First of all, I would like to talk about our methodology. It has not been very original; I have given preference to bilateral consultations. In this way, I have met 46 delegations out of the 65 - or 66, counting ourselves - represented at our Conference. The others, because of lack of time or perhaps lack of interest, did not come to see me but I was open to everyone. I was also able to meet the groups or their coordinators, either by specific appointment or during the many meetings which make up the social life of our club, whose reputation is already well established. Finally, I have tried to make the presidential consultations as lively and interactive as possible and I hope, in all modesty, that I have achieved this goal.

I shall now move on from methodology to the results. This will come as no surprise to anyone: my consultations did not reveal any path, broad or narrow, capable of leading the Conference on Disarmament out of its impasse, even if now and then there was a faint glimmer of light in the darkness. I tried not to raise any excessive hopes during my three earlier statements. From the very outset, I spoke about modesty, and I will speak again about modesty at the end.

Learning from the experience of my predecessors, I have worked in two complementary fashions. First, I considered the option of exchanges of views or dialogue. I believed that this was the lowest common denominator which would help bring us together, to transcend our differences and break the vicious circle of inertia. I must confess that I failed, even if this was only a relative failure. Nothing worked and yet, as I am sure you are aware, your ideas and your suggestions made it possible to explore all the possible avenues for such a dialogue, even the most modest among them. This is the fourth time that I have used the word "modest" in this statement. Some of us are not always able to keep to this approach. At this stage, I must nonetheless thank our three special coordinators on procedural questions for their dedication to their delicate undertaking. They have proved that, in certain conditions, a measure of dialogue, even if it is limited, is still nonetheless possible.

(The President)

Second, the other option which I followed was the main path of the programme of work or specific elements of the programme of work, in respect of which we now have our common heritage, built up with great courage and perspicacity by my predecessors. This too has led to stalemate, albeit a relative stalemate. This approach, which consists in agreeing on the lowest common denominator, evolved to such an extent during our meetings that the Ambassador of Algeria proposed as a formula the product of the divisors. All the same, at the end of my presidency, I believe I detect some movement, a slight shifting. I would like to express the hope that this might be the harbinger of a long-desired spring after an endless winter. Perhaps the spirit of Moscow will prevail one day, I hope not too far off, in this Council Chamber.

And, lastly, some thoughts on the global context. Taken in its broadest sense, the notion of arms control or disarmament, as conceived in the throes of the cold war and implemented over the last three decades, is now merely marking time. Disarmament and non-proliferation, which had formed the keystone of this concept, are now being eroded. Changes are affecting today both bilateral and multilateral disarmament and the paralysis which has taken hold of the Conference on Disarmament is one of the most tangible signs of this process. We must ask ourselves, now and in the future, whether the world has perhaps gone out of the reach of any traditional approach and suddenly slipped beyond arms control. During his statement in the plenary last week, the Ambassador of Morocco stated quite rightly that a new page in the history of disarmament had been written on 14 May in Moscow with the signing of a new disarmament treaty. This treaty, said the Ambassador, marks a true break with the traditional approach to arms control. Whether it is a break for better or for worse - and this is my question, not the Ambassador's - will be impossible to decide today. History will tell.

A French diplomat who was also Minister for Foreign Affairs in the period between the two world wars gives the following account of the work of the Conference on Disarmament in the 1930s in his memoir, "Quai d'Orsay in the Three Republics": "And in this sumptuous palace in Geneva there were only actors left, engaged in frantic manoeuvres, afraid as they were that their theatre would close down. They were forever hatching complicated and subtle intrigues that led nowhere." Let us pay careful heed: unless it is saved by a sudden resumption of activity, the day might come when this theatre closes its doors, whether for good or not. We would have nothing to gain thereby and probably everything to lose. Let us endeavour, as we prepare to celebrate the seventieth anniversary of the first Conference on Disarmament, to learn the lessons of the past.

I would like to convey my very best wishes for success to the Ambassador of Germany, Volker Heinsberg, who will be replacing me with effect from next week in the seat that I occupy now. In the name of French-German friendship, which is stronger than ever, I hope that, in the absence of anything else, all the lessons and views gathered by the French presidency will also be useful to the German presidency. I offer him my wishes for success and, should he need it, my own full cooperation and that of my mission.

(The President)

Finally, I would like to thank all those who enable our Conference to work efficiently and in such a good atmosphere under the leadership of our Secretary-General, Mr. Sergei Ordzhonikidze, and our Deputy Secretary-General, Mr. Enrique Román-Morey. Their assistance and that of their staff have been invaluable. I would also like to make special mention, even though we may not be at the Cannes cinema festival, of all our interpreters: I thank them on your behalf for the sterling work that they do so discreetly, behind the scenes, bringing us together when everything separates us, translating what is untranslatable, making clear things which are not always so clear, and walking side by side with us on our long march.

To quote the words of the French poet Lamartine, "Man is like a tree that you must shake for the fruit to fall out". I earnestly hope that my successors and, first and foremost, the Ambassador of Germany, will be able to shake the Conference on Disarmament tree harder than I have.

On the face of it, that concludes our work for today. I ask once again: does any delegation wish to take the floor? As I do not see any, I will conclude by saying that the next plenary meeting of the Conference will take place on Thursday, 27 June 2002, at 10 a.m., under the presidency of Germany.

The meeting rose at 10.45 a.m.